

Legal Department
RICHARD H. REIMER
Senior Vice President
Legal Services

August 7, 2009

BY HAND

MEMO ENDORSED

Honorable Denise Cote
U.S. District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Re: United States v. ASCAP -- Application of
Hicks Broadcasting of Indiana, LLC, et al.
(Mainstreet Broadcasting)
Civil Action No. 41 CV 1395 (DLC)

Dear Judge Cote:

I represent the American Society of Composers, Authors and Publishers ("ASCAP") and write on behalf of ASCAP and Mainstreet Broadcasting Company, Inc. ("Mainstreet"), to advise Your Honor of the status of this matter, one of several recently assigned to Your Honor following Judge Conner's passing.

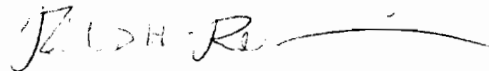
As the file shows, ASCAP filed a motion before Judge Conner seeking to enforce against Mainstreet certain provisions of his Final Order entered on October 15, 2004 in the *Hicks Broadcasting* proceeding -- a proceeding to determine ASCAP license fees for commercial radio stations brought under Section IX of the ASCAP Consent Decree. The order sought by ASCAP would result in entry of judgment against Mainstreet for license fees owed by Mainstreet to ASCAP for its Colorado radio station. ASCAP's motion is now fully briefed and pending before the Court.

Honorable Denise Cote
August 7, 2009

2

This letter is also to advise Your Honor that the parties have recently engaged in settlement discussions and are currently attempting to negotiate terms and conditions of a consent judgment to be filed with the Court. We therefore respectfully ask Your Honor to allow the parties until the end of next week to attempt to resolve their differences and file the consent judgment before ruling on ASCAP's pending motion.

Respectfully yours,

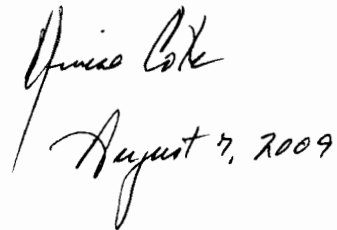


Richard H. Reimer

RHR:s

cc: Brenda S. Getz-Bossert, Esq.
(for Mainstreet)
Alan J. Weinschel, Esq.
(for Radio Music License Committee)
Christine A. Pepe, Esq.

Granted.



August 7, 2009